

no current permittees utilizing the Deepwater Industrial Waste Disposal Site. The most recent permits expired in 1987, and subsequent re-applications from the two permittees were withdrawn because of the feasibility of land-based alternatives. Therefore, the need for the Deepwater Industrial Waste Disposal Site has effectively been eliminated, so the site no longer complies with the above-mentioned criteria.

The last permits were issued by EPA in 1984 for ocean disposal of industrial wastes at the site. Both of these permits have expired and there are currently no authorized permits for disposal at this site. No ocean dumping has been conducted at the site since March 1987.

The Criteria stipulate that an ocean dumping permit can be issued only if there are no alternatives to ocean disposal which are technically feasible, economically reasonable, and which would have less adverse impact on the overall environment than ocean disposal. All permits issued contain conditions requiring the permittee to evaluate and implement alternative disposal which do not involve discharge at the Deepwater Industrial Waste Disposal Site have been identified.

#### E. Proposed Action

In view of the fact that feasible alternatives to disposal at the Deepwater Industrial Waste Disposal Site have been identified, and there is no current or reasonably foreseeable need for the site, EPA hereby proposes to de-designate the Deepwater Industrial Waste Disposal Site, in accordance with EPA Ocean Dumping Regulations.

#### F. Regulatory Assessments

Under the Regulatory Flexibility Act, EPA is required to perform a Regulatory Flexibility Analysis for all rules that may have a significant impact on a substantial number of small entities. Since there are no current permittees, EPA has determined that this action will not have a significant impact on small entities. Consequently, this rule does not necessitate preparation of a Regulatory Flexibility Analysis.

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This action will not result in an annual effect on the economy of \$100 million or more or cause any of the other effects that would result in its classification as a major rule under the Executive Order. Consequently, this rule does not necessitate preparation of a Regulatory Impact Analysis.

This Proposed Rule does not contain any information collection requirements subject to Office of Management and Budget review under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

#### List of Subjects in 40 CFR Part 228

Water pollution control.

Dated: November 10, 1988.

**William Muszynski,**

*Acting Regional Administrator, Region II.*

In consideration of the foregoing, Subchapter H of Chapter I of Title 40 is amended as set forth below.

#### PART 228—[AMENDED]

1. The authority citation for Part 228 continues to read as follows:

**Authority:** 33 U.S.C. secs. 1412 and 1418.

#### § 228.12 [Amended.]

2. Section 228.12 is amended by removing paragraph (b)(17).

[FR Doc. 88-27455 Filed 11-28-88; 8:45 am]

**BILLING CODE 6560-50-M**

#### 40 CFR Part 300

#### [SW-FRL-3477-7]

#### National Oil and Hazardous Substances Contingency Plan; the National Priorities List

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete sites from the National Priorities List: Request for comments.

**SUMMARY:** The Environmental Protection Agency (EPA) Region IV announces its intent to delete the Parramore Surplus Company site from the National Priorities List (NPL) and requests public comment. The NPL is Appendix B to the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). This action is being taken by EPA, because it has been determined that all appropriate Fund-financed responses under CERCLA have been implemented and completed and EPA, in consultation with the State has determined that no further cleanup by responsible parties is necessary. This notice is intended to solicit public comment on the intent of EPA to delete the Parramore Surplus Company site.

**DATES:** Comments concerning this site may be submitted on or before December 24, 1988

**ADDRESSES:** Comments may be mailed to Patrick M. Tobin, Director, Waste Management Division, c/o Jeanne Dove, Site Project Manager, 345 Courtland Street NE., Atlanta, Georgia. The comprehensive information on this site is available through the EPA Regional Docket clerks. Requests for comprehensive copies of documents should be directed formally to the appropriate Regional Docket Office. Address for the Regional Docket Office is: Gayle Alston, Region IV, USEPA Library, Room C-8, 345 Courtland Street NE., Atlanta, Georgia 30365, 404/347-4216.

#### FOR FURTHER INFORMATION CONTACT:

Patrick M. Tobin, Director, Waste Management Division, c/o Jeanne Dove, Site Project Manager, 345 Courtland Street NE., Atlanta Georgia 30365.

#### SUPPLEMENTARY INFORMATION:

##### Table of Contents

- I. Introduction
- II. NPL Deletion Criteria
- III. Deletion Procedures
- IV. Basis for Intended Site Deletion

#### I. Introduction

The Environmental Protection Agency (EPA) Region IV announces its intent to delete Parramore Surplus site from the National Priorities List (NPL), Appendix B, of the National Oil and Hazardous Substances Contingency Plan (NCP), and requests comments on this deletion. The EPA identifies sites that appear to present a significant risk to public health, welfare or the environment and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund) financed remedial actions. Any sites deleted from the NPL remain eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action.

The EPA will accept comments on this site for thirty days after publication of this notice in the **Federal Register**. Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses the site and explains how the site meets the deletion criteria.

#### II. NPL Deletion Criteria

Recent amendments to the NCP establish the criteria the Agency uses to delete sites from the NPL as published in the **Federal Register** on November 20, 1985 (50 FR 47912), § 300.66(c)(7) of the NCP provides that sites:

\* \* \* may be deleted from or recategorized on the NPL where no

further response is appropriate. In making this determination EPA will consider whether any of the following criteria has been met:

(i) EPA, in consultation with the State, has determined that responsible or other parties have implemented all appropriate response actions required; or

(ii) All appropriate Fund-financed responses under CERCLA have been implemented and EPA, in consultation with the State, has determined that no further cleanup by responsible parties is appropriate; or

(iii) Based on a remedial investigation, EPA, in consultation with the State, has determined that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

Before deciding to delete a site, EPA will make a determination that the remedy or decision that no remedy is necessary, is protective of public health, welfare, and the environment, considering environmental requirements which are applicable or relevant and appropriate at the time of the deletion.

Deletion of the site from the NPL does not preclude eligibility for subsequent Fund-financed actions if future conditions warrant such actions. Section 300.66(c)(8) of the NCP states that Fund-financed actions may be taken at sites that have been deleted from the NPL.

### III. Deletion Procedures

In the NPL rulemaking published in the **Federal Register** on October 15, 1984 (49 FR 40320), the Agency solicited and received comments on the question of whether the notice and comment procedures followed for adding sites to the NPL should also be used before sites are deleted. Comments also were received in response to the amendments to the NCP that were proposed in the **Federal Register** on February 12, 1985 (50 FR 5862). Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations. The NPL is designed primarily for informational purposes and to assist agency management. As is mentioned in section II of this notice, § 300.66(c)(8) of the NCP makes clear that deletion of a site from the NPL does not preclude eligibility for future Fund-financed response actions.

For the deletion of this site, EPA's Regional Office will accept and evaluate public comments before making the final decision to delete. The Agency believes that deletion procedures should focus on notice and comment at the local level. Comments from the local community

surrounding the sites considered for deletion are likely to be the most pertinent to deletion decisions. The following procedures were used for the intended deletion of this site. The Agency is considering using similar procedures in the future with the exception that the notice and the comment period is being conducted at the local level concurrent with this notice through the **Federal Register**.

The procedures used are:

1. EPA Regional Office recommended deletion and prepared relevant documents.

2. EPA Regional Office is providing a 30-day public comment period on the deletion package. The notification is being provided to local residents through local and community newspapers. The Region made all relevant documents available in the Regional Offices and local site information repositories.

3. The comments received during the notice and comment period will be evaluated before the tentative decision to delete is made.

A deletion will occur after the Assistant Administrator for Solid Waste and Emergency Response places a notice in the **Federal Register**, and the NPL will reflect any deletions in the next final update. Public notices and copies of the responsiveness summary will be made available to the local residents by the Regional Offices.

### IV. Basis for Intended Site Deletions

The following summary provides the Agency's rationale for intending to delete this site from the NPL.

Parramore Surplus Company Site, Mt. Pleasant, Florida

The Parramore Surplus site is a 25 acre site located in northwestern Gadsden County, Florida in the town of Mt. Pleasant. The site is privately owned and has operated as a facility which stores and resells surplus government products since 1972. The products were purchased from various naval and air force bases in Florida and Alabama. Some of these products were drummed paint residues, waste oil, alcohols, and degreasers.

The Florida Department of Environmental Regulation (FDER) conducted a site inspection in March 1982 and found an estimated 400 to 600 drums being stored. Many of the drums were leaking and killing the surrounding vegetation. At the request of the FDER, EPA conducted a site inspection and collected soil and waste samples in May

1982. Laboratory analyses performed on those samples revealed the presence of PCB-1254 at a concentration of 72 mg/kg. Consequently, on August 16, 1982, the site was added to the National Priorities List (NPL).

A meeting with the EPA, FDER and the site owner resulted in an agreement that the Parramore Surplus Company would voluntarily clean up the PCB contaminated soil. The clean-up was accomplished over the next few months. Both the FDER and the EPA inspected the Parramore site and noted on July 28, 1983 that the conditions of the clean-up agreement had been met. During the investigation, three additional contaminated areas were observed. At the request of the FDER, the owner cleaned up these areas as well.

Following an unannounced visit to the site, the FDER formally requested on August 25, 1983, that the site be removed from the NPL.

There are no major water bodies in the Parramore Surplus Company site. Possible sources of ground water contamination have been removed. A Public Health Evaluation (PHE) was conducted to determine the need for Soil Remediation to protect human health. Under all plausible exposure scenarios, it has been determined that the daily intakes of contaminants are below the reference doses, even when exposure to all contaminants are summed. The PHE has determined that no adverse human health threats are posed by the soil contamination. The remedy selected for this site provided for no further remedial actions to be taken on the soils and groundwater at the site. However, to assure that no groundwater contamination has occurred from past releases of hazardous materials, a groundwater quality assessment consisting of two sampling events has been conducted. Post-ROD sampling events revealed that the site poses no threat to the human health or to the environment.

EPA, with the concurrence of the State of Florida, has determined that the Parramore Surplus site poses no significant threat to public health or the environment and therefore, no soil remediation and no further groundwater studies are necessary.

Date: November 9, 1988.

**Patrick M. Tobin,**

*Acting Regional Administrator.*

[FR Doc. 88-26589 Filed 11-28-88; 8:45 am]

BILLING CODE 6560-50-M